THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 17753 of 2005

DATED: 11.08.2005

Between:

S.Khadar Basha, S/o Ismail,

Aged about 49 years, Occ:Business,

R/o D.No.9/292, V.S.M.Street,

Kadapa town and District.

...PETITONER

And:

The Commissioner of Prohibition

and Excise, A.P., Hyderabad

and another.

...RESPONDENTS

ORDER:

The petitioner applied on 10.06.2005 to the second respondent for grant of a Form-2 B licence for establishing a Bar and Restaurant in Kadapa under the provisions of the Andhra Pradesh Excise (Grant of licence and Selling by Bar and Conditions of Licence) Rules, 2005, (hereinafter referred to as 'the Rules') accompanied by the requisite challan for Rs.10,000/-. According to the petitioner, the second respondent visited the premises proposed by the petitioner for establishing the Bar and Restaurant, in the second week of June, 2005 and thereafter, there is no progress. Under the Rules, the

second respondent is required to inspect the premises and send up his recommendations to the first respondent who is empowered to consider the application of the petitioner for grant or refusal of the licence. The petitioner's solitary grievance in this case is regarding the tardy processing of his licence.

In the aforesaid circumstances, after hearing the learned Government Pleader for Prohibition and Excise, the writ petition is disposed of, directing the respondents to expeditiously process the petitioner's application, dated 10.06.2005, for grant of a Form-2B licence. The second respondent shall, if not already, send up his recommendations to the first respondent within a period of four weeks from the date of receipt of a copy of this order and the first respondent shall, within a period of eight weeks from the date of receipt of the recommendations from the second respondent, consider and pass appropriate orders on the recommendations of the second respondent. Nothing in this order shall be construed as an expression by this Court on the merits of the petitioner's application for grant of Form-2 B licence and the respondents shall consider the desirability of grant of such a licence independently, on merits, and in accordance with law and public interest. No order as to costs.

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(GODA RAGHURAM, J)

11.08.2005

Note:

Issue CC in

three days.

B/o

dr